

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

RAYMONDO LYNCH,	)	
	)	Case No. 3:11-CV-1426-SU
Petitioner,	)	
	)	
v.	)	
	)	FINDINGS AND RECOMMENDATION
J.E. THOMAS,	)	
	)	
Respondent.	)	
_____	)	

SULLIVAN, Magistrate Judge.

Petitioner purportedly filed this 28 U.S.C. § 2241 habeas corpus action on November 23, 2011, but it appears the Petition for Writ of Habeas Corpus, Declaration of Raymondo Lynch, and the Motion for Appointment of Counsel were drafted by fellow inmate Ryan Frank Bonneau, not Raymondo Lynch. Specifically, the documents have all been cut off at the top, apparently in an attempt to hide Mr. Bonneau's TRULINCS information showing he

drafted the documents.<sup>1</sup> In this regard, Mr. Bonneau appears to be infringing upon the well-established principle that although a non-attorney may appear on his own behalf, that privilege is personal to him. *C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th Cir. 1987); *Storseth v. Spellman*, 654 F.2d 1349, 1355 (9th Cir. 1981). Not only is this subterfuge impermissible, it also violates Local Rule 10-1(g) which requires all documents to be filed on 8.5" x 11" paper.

Because it appears Mr. Bonneau is improperly litigating this case on behalf of Mr. Lynch, the court should direct the Clerk of Court to strike the Petition for Writ of Habeas Corpus, Declaration of Raymondo Lynch, and the Motion for Appointment of Counsel. The court should also advise Mr. Lynch that should he wish to continue with this case, he must file an amended petition within 30 days which: (1) does not incorporate any part of the prior pleading by reference; and (2) contains his notarized signature. The court also requires that all of Mr. Lynch' filings throughout the course of this action contain notarized signatures. The court should further advise Mr. Lynch that any documents which do not contain that required notarization will be stricken.

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<sup>1</sup> This is consistent with a variety of other impermissible filings in this court by Mr. Bonneau.

**RECOMMENDATIONS**

The court should direct the Clerk of Court to strike the Petition for Writ of Habeas Corpus (#1), the Declaration of Raymondo Lynch (#2), and the Motion for Appointment of Counsel (#3). The court should also advise Mr. Lynch that should he wish to continue with this case, he must file an amended petition within 30 days which: (1) does not incorporate any part of the prior pleading by reference; and (2) contains his notarized signature. The court also requires that all of Mr. Lynch' filings throughout the course of this action contain notarized signatures. The court should further advise Mr. Lynch that any documents which do not contain that required notarization will be stricken.

**SCHEDULING ORDER**

This Findings and Recommendation will be referred to a district judge. Objections, if any, are due within 14 days. If no objections are filed, then the Findings and Recommendation will go under advisement on that date. Thus the Findings and Recommendation will go under advisement in 14 days, or when the court receives petitioner's objections, whichever is earlier.

DATED this 23rd day of January, 2012.

/s/ Patricia Sullivan

Patricia Sullivan  
United States Magistrate Judge